

*Together — Children Grow*



## **Quality Child Care For Children With Special Needs**

Wisconsin Child Care Information Center (CCIC) 1-800-362-7353

*This child has a disability.*

*This child  
needs quality  
child care.*



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To order additional copies of this booklet, contact the Wisconsin Child Care Information Center (CCIC), 1-800-362-7353.

***What will you do?***

# Parents worry

## *Parents have concerns:*

- Will a child care provider want to care for my child?
- How will anyone else ever be able to care for my child the way that I do?
- Will the other children accept my child?
- Will a provider have enough resources to care for my child?
- Will a child care provider be willing to get training if necessary?
- Will a provider be willing to give my child the extra time that he/she needs?
- What if something goes wrong?
- What can I do to help make the child care arrangements work for everyone?



# Providers worry

## *Providers have concerns:*

- Do I have the skills to care for a child who has special needs?
- Will I be able to meet expectations that the parent has for the care of the child?
- Will the other children accept the child?
- Is it going to take extra time and money to care for this child?
- Will I need to get special training in order to care for the child?
- If I need special training, where will I get it and how will I find time?
- What if something goes wrong?
- What can I do to help make the child care arrangements work for everyone?



# Getting started

## *what parents need to know*

Under the Americans With Disabilities Act (ADA), most child care facilities are considered to be public accommodations and may not exclude or discriminate against a parent or child solely on the basis of a disability. The only exception to this rule is when the facility is under the direct management of a religious agency (church, mosque, etc.).

- Not all child care providers are aware of their legal responsibilities under the ADA. Parents may need to help providers learn their responsibilities and learn that working with a child who has a disability can be a positive and rewarding experience for themselves and for the other children in the program.
- Child care providers are very skilled and have lots of experience caring for all kinds of children. With the parent's help, most child care providers will be able to do a fine job of caring for a child who has special needs.
- Child care providers are not allowed to deny services by claiming that their staff does not have enough training to care for a child. It is their responsibility to find the training they need in order to accommodate the child. Parents can help, however, by sharing information about available resources with providers. (See page 14, *Resources*)

# Getting started

## *what providers need to know*

Most child care centers and most family child care homes are considered to be public accommodations under the Americans With Disabilities Act (ADA). A parent or child may not be excluded solely on the basis of a disability. When a parent asks if a child care program accepts children with disabilities, the provider must answer, "Yes\*."

- Many parents of children with disabilities have had frustrating experiences finding care in the past. They may be hesitant to share information at first because they fear being turned down again. Providers can help by being understanding.
- Child care providers should never ask specific questions about a child's special needs until after it has been stated that the program accepts children who have disabilities. Asking questions first could be misinterpreted as an attempt to screen the child out of the program, which is illegal under the ADA.
- Each disability is different, just as each child is different. Even a provider who may have had an unsuccessful experience caring for a child with special needs in the past is likely to have a very successful experience the next time.

\* The only exception to the ADA rule is when the facility is under the direct management of a religious agency (church, mosque, etc.).



# Suggestions

## for talking to providers

Talking with a child care provider for the first time can be intimidating or difficult for the parent of a child who has special needs. Parents know that the child care provider needs to hear certain things about their child in order to provide the best care possible, but it is hard to know when to share the information.

Parents should always start by asking the same general questions about the child care program that any parent would ask. Parents are not required to share information about their child's disability until after they feel confident that the program would be a good one for the child. General questions include:

- When is the program open?
- Is there currently an opening?
- What experience or training has the provider had?
- How many children are in the group?
- Are meals served?
- How often are the children read to?
- How is discipline handled?
- What is a typical day like?
- What services does your child currently receive?

Be prepared to talk about the child's disability when the time comes. How does it affect the care of the child? Does the child require any special equipment? What special qualities make him/her enjoyable to work with?

Be prepared to offer help and resources.  
(See page 14, *Resources*)



# Suggestions

## for talking to parents

It is important to be sensitive when talking to the parent of a child with a disability. The parent of a child who has special needs, just like any parent, is looking for the best possible care for his or her child. Parents need to hear general information about the child care program first in order to decide whether or not it would be a good fit for the child.

After indicating that the program is open to children with special needs, and answering general questions from the parent, a provider may then ask some questions about the child's disability. Providers need some information about the disability in order to provide the best care possible for the child. Questions might include:

- What strengths does your child have?
- How does your child communicate?
- What will your child enjoy doing with the other children in the group?
- Does your child need help with self-care activities like feeding, dressing or use of the bathroom?
- How closely do I need to watch your child beyond usual supervision?
- How might I need to adapt our daily activities in order for your child to participate?
- What type of behaviors can I expect?
- What resources or community networks are you currently involved with that may be able to provide me with information or support related to your child's disability?

(See page 14, *Resources*)



# Positive beginnings

## What can a parent do?

During the first days and weeks that a child with special needs is in child care, there are many things that a parent can do to help get things off to a good start. Above all, it is important for parents to think of their relationship with the child care provider as a partnership. Children benefit most when there is total cooperation between their parents and caregivers.

- Give the provider clear instructions for any special techniques or equipment needed for use with the child. When possible, put instructions in writing.
- Offer to spend a little extra time on site with the child during the first days of care to help him or her get used to the new surroundings and to help providers get to know the child.
- Share information about techniques that work at home.
- Share information about community resources and/or support.
- Remember to keep a positive attitude. Offer support, and help the provider as much as possible.
- Find out what help and support may be available to you or the provider through programs such as Head Start, Birth to 3 and local schools and/or agencies.

*(See page 7, Finding Resources)*



# Positive beginnings

## What can a provider do?

During the first days and weeks that a child with special needs is in child care, there are many things that a provider can do to help get things off to a good start. A child with special needs, like any child, will benefit most when his or her caregivers and parents cooperate and help one another. It is important for providers to approach their relationship with the child's parents as a partnership.

- Be sure to have clear information about any special techniques or equipment needed for use with the child. When possible, get instructions in writing.
- Suggest that the parent stay for a little extra time each day at first to help the child get used to the new surroundings and to share information about his or her special needs.
- Ask parents what method of comforting works best with the child.
- Know how to reach the parent during the day if questions come up.
- Budget time to speak or meet with any specialists that the child may already be working with.
- Remember that all parents need to hear good things about their children. Parents with children with special needs are especially appreciative of good news.





Photograph by Cynthia H. Mellendorf

# Strategies

## *Aiming for success*

Ongoing cooperation and support between parent and provider is vital to the long-term success of the child care arrangements. A child with special needs, like any child, will benefit most when the parents and the provider consider themselves to be partners in his or her care.

### Parents can:

- Strive to understand all of the rules and policies of the child care.
- Try not to be in a rush when dropping off or picking up their child.
- Budget time to speak with the provider daily about the child's progress or any problems that may occur.
- Communicate openly and honestly. Work to solve the little problems before they grow into big ones.
- Stay positive. Maintain a sense of humor and offer as much help as possible.

### Providers can:

- Budget time to speak with the parent daily about the child's progress or any problems that may occur.
- Try to get all special instructions in writing.
- Be as flexible as possible, and respect the individual differences of each child and family.
- Communicate openly and honestly. Work to solve the little problems before they grow into big ones.
- Stay positive, and maintain a sense of humor.

# *Making connections*

## *Finding resources*



Photograph by Buck Miller

***“Most parents don’t realize  
how many excellent  
resources are available  
to them at no cost.”***

Early intervention specialist

**For children ages birth to 3:** Each county in Wisconsin has a Birth to 3 Program that provides early intervention services to infants and toddlers with developmental delays or disabilities. To get started, an Individual Family Service Plan (IFSP) is developed to support the needs of the child and the entire family. Services are provided at the child’s home, child care site or other community setting. Parents may find out more about services available in their area for children ages birth to 3 by contacting Wisconsin First Step, 1-800-642-7837.

**For children ages 3 to 21:** Each public school district is required by law to serve children ages 3 to 21 who have special educational needs. Parents and school specialists work together to develop an Individualized Education Plan (IEP) for the child who has a disability. IEPs are learning plans geared to the needs of the individual child to promote his or her success in school and in the future. While child care providers are not required to implement the IEP, it can be very helpful when parents allow their child care provider(s) to review the IEP, attend the IEP meetings and/or integrate activities. The IEP team, including the parents, can decide to implement some of the IEP goals within the child care setting. Parents may find out more about services available in their area for children ages 3 to 21 by contacting Wisconsin First Step, 1-800-642-7837.

Parents have rights and procedural safeguards within each system mentioned above. There are also technical assistance resources available to help parents secure the most appropriate services for their child. Parents and child care providers both gain when information is shared about teachers, therapists and other support people involved with the child who might be able to offer guidance and support.

See page 14 for a full list of  
helpful resources and contact numbers.



# Together — Children Grow



*Including all children in child care encourages us to celebrate their individual differences in a way that has far-reaching benefits for all of the children, caregivers and families involved. When we focus on the positive and on the belief that “Together — Children Grow”, it is very natural to include children with special needs in the child care program.*

Everyone benefits when children who have disabilities are included within the child care program:

- All children make new friends.
- All children learn to cope with obstacles.
- All children play naturally with one another and learn to see beyond another’s disability.
- All children improve language and communication skills.
- All children learn to solve the problems put before them.
- All children develop patience.
- All children learn to be more accepting of others.
- All children learn to work together and help one another.
- All children gain self-confidence.
- All children can be proud of their achievements.

*“Children are our future. If they grow up in a world of inclusion, society will be rewarded down the line. Children enriched by lessons of inclusion will become adults able to look beyond someone else’s disability to value that person for his or her abilities. We all have differences, but diversity is to be valued.”*

— The Arc



Photograph by Buck Miller

***“We really appreciate it when parents share what they know about available resources. In turn, we do our own research and let parents know what we find.”***

Director, group child care center

# *Sharing support*

## *Sharing resources*

Child care providers are skilled when it comes to caring for children, and the parent of a child who has special needs knows more about his or her child than anyone else in the world. When these two experts come together to share support, time and resources they create a win/win situation for all involved.

In many cases there are additional resources available to support and strengthen the parent/provider team: Head Start, Wisconsin Department of Health and Family Services, Birth To Three Program and local schools and/or agencies ([see page 14, Resources](#)). Agencies often have specialists and/or therapists who can visit a child care program for staff training, to work with an individual provider or to provide therapy on site.

- Parents and providers succeed when they both agree to make telephone calls to get help from agencies, therapists or other resources.
- Parents and providers succeed when they are both willing to put in extra time at the beginning of their relationship.
- Even when both are knowledgeable, parents and providers must never assume that the other knows everything there is to know about the child's care. By sharing all known resources, the parent and the provider help to increase collective understanding of the child's special needs.
- In some cases, a provider may suspect a disability that the parent is not yet aware of, or observe that the parent has not yet connected with available resources. The provider can help by sharing information about resources with parents.



Photograph by Cynthia H. Mellendorf

# *What to do*

## *If things go wrong*

### When A Child Care Provider Says “No”

While the law makes it illegal in most situations for a child care provider to refuse care on the basis of the child’s disability, not all providers are aware of their legal responsibilities. They may tell a parent “No” due to lack of information. Parents can sometimes overcome this obstacle by trying some of the following strategies.

- Assure the provider that he or she has all of the skills necessary to care for the child.
- Offer to spend extra time on site with the child to help the provider become comfortable with his or her special care needs.
- Offer to link the provider with resources such as Head Start, Birth To Three, therapists and local schools and agencies. (See page 14, *Resources*)
- Offer to meet with the provider regularly or to send a notebook back and forth daily to keep lines of communication open.
- If the provider has not already met with the child in person, try to arrange for him or her to do so.

### When rights are violated

Child care providers and parents both have rights and responsibilities under the Americans With Disabilities Act (ADA). If a parent or provider feels that his or her rights have been violated, contact:

- Wisconsin Coalition for Advocacy, 1-800-928-8778
- U.S. Department of Justice, ADA Information Line 1-800-514-0301 (voice), 1-800-514-0383 (TDD)

## *Understanding The Americans With Disabilities Act (ADA)\**

Under the Americans With Disabilities Act (ADA), family child care homes and child care centers are considered public accommodations and may not exclude or discriminate against parents or children solely on the basis of a disability. The only exception to this rule is when the facility is under the direct management of a religious agency such as a church, parochial school, temple, mosque, etc.

This section contains some brief questions and answers that will help you to understand the ADA and how it affects you.

**Q.** The ADA requires child care programs to accept a child if doing so is 'readily achievable' and does not require 'fundamental alterations to the existent program'. What does this mean?

**A.** Basically, these terms mean that making changes to the program, policies, curriculum or staffing patterns, etc. can be done relatively easily, without significant difficulty or expense. This is determined based on the nature and cost of the action needed and in light of the resources available to the individual child care provider(s).

**Q.** What if a child care center's insurance company says it will raise the rates if children with disabilities are enrolled? Do centers still have to admit these children?

**A.** Yes. Higher insurance rates are not a valid reason for excluding children with disabilities from a program. The extra cost should be treated as an overhead expense and be divided equally among all paying customers.

**Q.** How is it decided if a child with a disability belongs in a certain child care program?

**A.** Providers cannot assume that a child's disabilities are too severe for the child to be integrated successfully into the center's child care program. The center must make an individual assessment about whether it can meet the particular needs of the child without fundamentally altering the program. In making this assessment, the child care provider must not react based on pre-conceptions or stereotypes about what children with disabilities can or cannot do or how much assistance they may require. Instead, they should talk to parents and others familiar with the child.

**Q.** If the center has a full waiting list, does it have to accept a child with disabilities ahead of others?

**A.** No. ADA does not require that providers accept children with disabilities out of turn.

\* Condensed from *The Americans With Disabilities Act, Questions and Answers*, a publication of the Equal Employment Opportunity Commission and the U.S. Department of Justice, Civil Rights Division.



**Q.** Can child care providers charge the parents of children who have disabilities more to provide their care?

**A.** No. ADA prohibits centers from imposing charges on individuals with disabilities to cover the costs of measures necessary to ensure non-discriminatory treatment (such as removing barriers or providing qualified interpreters). Such costs should be passed on to all participants like any other overhead cost.

**Q.** If the center specializes in “group care,” can it reject a child because he or she needs individualized attention?

**A.** No. Most children will need individualized attention occasionally. If a child who needs one-on-one attention due to a disability can be integrated without fundamentally altering a child care program, the child cannot be excluded solely because he or she needs one-on-one care. It is important to assess whether the child truly needs constant individual attention in this environment. For example, some children require an individual aid in a school or academic setting due to their learning needs, but in a child care setting, where activities are more socially oriented, they might only need special attention at specific times of the day.

**Q.** If an older child has delayed speech or a developmental disability, can centers place the child in an infant or toddler room?

**A.** Generally, no. Under most circumstances children with disabilities must be placed in their age-appropriate classroom, unless parents or guardians agree otherwise.

**Q.** Must centers admit children with mental retardation and include them in all center activities?

**A.** Yes. The center must take reasonable steps to integrate those children into every activity provided to others. If other children are included in group singing or playground expeditions, children with disabilities should be included as well. Segregating children with disabilities is not acceptable under ADA.

**Q.** Can centers exclude children with HIV or AIDS from the child care program to protect the other children or the employees?

**A.** No. According to the vast weight of scientific authority, HIV/AIDS cannot be easily transmitted during the types of incidental contact that take place in the child care setting. Children with HIV or AIDS can generally be safely integrated into all activities. Caregivers should take universal precautions—such as wearing latex gloves—whenever they come into contact with any child’s blood or bodily fluids.

**Q.** If a center’s policy states that it does not accept children over age three who need diapering, can it refuse to accept children older than 3 who need diapering because they have a disability?

**A.** Generally, no. Centers that provide personal assistance services such as diapering or toileting assistance for young children must reasonably modify their policies and provide diapering services for older children who need it due to a disability.

**Q.** What about children whose presence is dangerous? Must they be accepted too?

**A.** No. Children who pose a direct threat -- substantial risk of serious harm to the health or safety of themselves or to others -- do not have to be admitted into a program. The determination that a child poses a direct threat may not be based on generalizations or stereotypes about the effects of a particular disability: it must be based on an individual assessment that considers the particular activity and the actual abilities of the individual.

**Q.** If the center has a policy that it will not give medication to any child, can it refuse to give medication to a child with a disability?

**A.** No. In some circumstances it may be necessary to give a child with a disability medication in order to make a program accessible to that child. While state laws may differ, generally speaking, as long as reasonable care is used when following the doctor's and parents' or guardians' written instructions about administering medication, centers should not be held liable for any resulting problems.

**Q.** If a center has a "no pets" policy, do they have to allow a child with a disability to bring a service animal such as a seeing eye dog?

**A.** Yes. A service animal is not a pet. The ADA requires that "no pets" policies be modified to allow the use of service animals by a person with a disability. Centers do not have to abandon their "no pets" policy altogether but simply make an exception to the rule for service animals.

**Q.** What about children who hit or bite?

**A.** The first thing a provider must do is try to work with the family to see if there are reasonable ways of curing the child's negative behavior. If reasonable efforts have been made and documented and the child continues to bite or hit other children or staff, he or she may be expelled from the program even if he or she has a disability. The ADA does not require providers to take action that would pose a direct threat or substantial risk of harm to anyone else. Centers should not, however make assumptions about how a child with a particular disability might behave. Each situation must be considered individually.

**Q.** Are there any special requirements for transporting children with disabilities?

**A.** Yes. Under the ADA, child care centers must apply all of the same regulations to transportation as they do to their center programs. Barriers to equal access to transportation must be removed. It is not mandatory for centers to retrofit existing vehicles with hydraulic or other lifts. Any new vehicles added to the transportation service, however, must adhere to regulations issued by the Department of Transportation. Children with disabilities should be accommodated and included in field trips and other areas where transportation is provided.

## Resources To Get You Started

All resources listed in this section can provide valuable information about a wide range of disabilities (not just mental retardation or cerebral palsy as their names might imply). A simple telephone call may serve to connect you with resources that you didn't even know were available.

**Wisconsin First Step Resource & Referral Hotline • 1-800-642-STEP (7837)**  
**[www.mch-hotlines.org](http://www.mch-hotlines.org)**

The best place to start for information about services for young children with special needs including the Wisconsin Department of Health and Family Services, Birth to 3 Program, public schools, therapists and Centers For Children With Special Health Care Needs.

**[www.familyvillage.wisc.edu](http://www.familyvillage.wisc.edu)**

Your first stop on the web for disability-specific information and links to other Internet sites that can help you.



\* When you make your first calls, be sure to ask about transportation, adaptive equipment, funding and building modifications. In addition, request information about other programs or support groups such as MUMS, The Katie Beckett Program, Head Start and The Family Support Program. Some areas maintain resource lending libraries for parents and/or child care providers.

### For Information about your ADA Rights & Responsibilities

Wisconsin Coalition for Advocacy • 1-800-928-8778  
[www.law.wisc.edu/wca](http://www.law.wisc.edu/wca)

U.S. Department of Justice, ADA Information Line • 1-800-514-0301 (voice)  
 1-800-514-0383 (TDD) • [www.usdoj.gov/disabilities.htm](http://www.usdoj.gov/disabilities.htm)

## Helpful Resources

### The Arc - Wisconsin

(608) 251-9272 • <http://danenet.wicip.org/arcw>  
 The Arc is a statewide membership organization serving people with developmental disabilities and their families.

### Child Care Resource & Referral Network

1-888-713-KIDS • (608) 271-1230 • [www.wisconsinccrr.org](http://www.wisconsinccrr.org)  
 This statewide network assists child care programs in linking to resources and other programs available for children with or without disabilities.

### Parent Education Project (PEP) • 1-800-231-8382

(414) 328-5520 • [www.dhfs.state.wi.us/children/factsforfamilies/pepwi.htm](http://www.dhfs.state.wi.us/children/factsforfamilies/pepwi.htm)  
 Services provided include phone consultation, parent networking, workshops, training for staff and parents, information and referral for services.

### United Cerebral Palsy

1-888-482-7739 • [www.ucp.org](http://www.ucp.org)  
 Serving people of all ages and with all developmental disabilities. An excellent resource for a wide range of disability-related information. Call the 800 number to be referred to the UCP affiliate closest to you.

### Wisconsin Child Care Improvement Project (WCCIP)

1-800-366-3556 • [www.wccip.org](http://www.wccip.org)  
 Technical advisors are on call 9:00 a.m. - 4:00 p.m. They can direct you to resources in your community or nearby.

### Wisconsin Child Care Information Center

1-800-362-7353 • [www.dpi.state.wi.us/ccic](http://www.dpi.state.wi.us/ccic)  
 Free lending library for child care professionals. Videos, books and other disability-related resources can be mailed to child care providers and instructors.

### Wisconsin Department of Health and Family Services, Birth to 3 Program

(608) 266-8276 • [www.dhfs.state.wi.us/bdds/b3.htm](http://www.dhfs.state.wi.us/bdds/b3.htm)  
 Provides early intervention services in the form of physical, occupational, educational or speech therapy for children ages birth to 3 years of age.

### Wisconsin Department of Public Instruction

1-800-441-4563 • [www.dpi.state.wi.us](http://www.dpi.state.wi.us)  
 Government agency that oversees the quality and funding of public schools, including services for children with special needs.

### Wisconsin Head Start Association

(608) 265-9422 • [www.waisman.wisc.edu/earlyint/whsa](http://www.waisman.wisc.edu/earlyint/whsa)  
 Serves children from birth to age 5, pregnant women, and their families to increase the school readiness of young children in low-income families.

# financial support

Providers and low-income parents should be aware that there may be financial support available when a child has a disability. Wisconsin Shares Child Care Subsidy program supports care for all eligible families, including the families of children with special needs.

## For Parents:

Wisconsin families who are eligible for child care subsidies, and who have a child age 0 to 19 with special needs in child care, should be aware that their child care provider may be able to qualify for a higher reimbursement for the child's care. Parents should speak with their child care provider if they think that the provider may be eligible for this benefit.

## For Child Care Providers:

In cases where a provider receives child care subsidy payments for a child who has special needs, local county or tribal agencies administering the child care subsidy program may sometimes set a higher reimbursement rate for the child. Decisions about whether or not to set a higher rate are handled on a case-by-case basis.

A provider seeking a higher subsidy (W-2) rate for a child with special needs must contact the local county or tribal agency to obtain specifics about the procedures for that area. The provider is required to document the reason for the higher price of care and outline what extra services are required by the child. It is important to remember that most children who have special needs can readily be integrated into the existing child care program without a higher rate of reimbursement. Often, and especially when the provider receives technical assistance or training, the regular payment rate covers the needs of the child adequately. Some local agencies may provide for technical assistance and other services to support the successful integration of the child into the child care environment.

## W-2 Disability Hotline

1-608-250-4044 • 1-888-400-8455

Provides telephone information and assistance when families with a parent or child who has a disability have difficulty with W-2 or a related program (child care, food stamps, etc.).

## Together — Children Grow



*“Children enriched by the lessons of inclusion will become adults able to look beyond someone else’s disability and value that person for his or her abilities.” — The Arc*



414-562-2650

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***Jeremy*** is sensitive when he gets teased about his big ears.

***Allie*** wears a hearing aid.

***Jessie*** doesn't like graham crackers.

***Sarah*** has asthma.

***Michael*** has trouble paying attention.

***Yolanda*** has separation anxiety.

***Mailee*** uses a wheelchair to get around.



In a child care environment, many people hesitate to mix kids with special needs with everyone else. But once you realize that every child has special needs, isn't it obvious what the best solution is?

To order additional copies of this booklet contact the Wisconsin Child Care Information Center (CCIC)  
1-800-362-7353